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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,285	12/13/2001	Kevin Michael Wueste	MSFT-0673/174290.01	7591
41505 7590 01/23/2008 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/023,285

Applicant(s)

WUESTE, KEVIN MICHAEL

Examiner

Jude J. Jean-Gilles

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 10/24/2007.

Response to RCE

2. In the claims, claims 1-9, and 11-24 are now pending in the application with the foregoing claim amendments entered. Claims 1, 4-9, 12, 13, 15, 17, 20 and 22 have been amended. Claim 24 has been added, and claim 10 has been canceled. Claims 1-9 and 11-24 represent a method and system for a "CONCENTRIC USER-TARGETING DELIVERY SYSTEM AND METHODS."

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-9, and 11-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sankuratripati et al (Sankuratripati), Patent No. 7,155,508 B2 in view of Judge U.S. Pub. No. 20020111832 A1

Regarding **claim 1**, Sankuratripati discloses a system to generate and deliver concentric user-targeted content to participating users (fig. 3) comprising:

a data store having data representative of a participating user's profile information and/or data representative of said participating user's content usage information (fig. 3, item 53; column 10, lines 15-21);

a content data store, said content data store having various content for display to said participating user (fig. 3, item 57; column 10, lines 25-31);and

an instruction set cooperating with said data store and said content data store, wherein said instruction set operates on data from said data store to generate a preference for participating user (fig. 3, items 53 & 57; column 10, lines 15-41; column 15, lines 47-67), and

wherein said instruction set further operates on said generated preference to obtain a range of concentric user-targeted content from said content data store such that said range of content is correlated in varying degrees to said generated preference for said participating user (column 16, lines 1-12; column 17, lines 32-42, continue next column, lines 1-11; column 13, lines 10-54).

Although Sankuratripati discloses substantial features of the claimed invention, Sankuratripati does not distinctly teach the steps below as amended in the RCE reply dated 10/24/2007. These steps which require obvious modifications of Sankuratripati as evidence by Judge:

wherein said instruction set includes an algorithm for comparing said profile information to said content usage information and for generating a preference for said participating user based on said comparison (see analogous art of Judge; par. 0066,

0072, and 0090; see the comparison made between previously stored individual profile data and available resources on web site contents, using a matching algorithm to obtain relevant content for the user),

wherein said algorithm of said instruction set further operates on said generated preference to obtain a range of concentric user-targeted content from said content data store (see analogous art of Judge; par. 0066, 0072, and 0090),

wherein said range of concentric user-targeted content is correlated in varying degrees to said generated preference for said participating user and includes a buy content offering and a product content offering (see analogous art of Judge; par. 0131).

Given these features, a person of ordinary skill in the art would have readily recognized the desirability and advantages of modifying the system shown by Sankuratipati to employ the features shown by Judge in order to facilitate and support to use a relevant piece of information obtained to facilitated more relevant search, thereby providing relevant and comprehensive management resources and services to consumers (see Judge, par. 0005, and 0007; note that the system of Judge uses motivation that is based on health care services, but that could as well be expanded in other aspects of e-commerce). By this rationale, claim 1 is rejected.

2. The system as recited in claim 1, wherein said profile.

information is input by said participating user for storage on said data store (see Sankuratripati; fig. 3, item 53; column 10, lines 15-21).

3. The system as recited in claim 2, wherein said profile information comprises demographic and/or preference information for said participating user (see Sankuratripati; fig. 3, item 53; column 10, lines 15-21).

4. The system as recited in claim 1, wherein said content usage information comprises current and historical usage information (see Sankuratripati; column 9, lines 29-35).

5. The system as recited in claim 1, wherein said ~~instruction set implements a matching algorithm, said matching~~ algorithm include a matching alogorithm that accepts ~~accepting~~ as input said data from said one or more data store and ~~generating said preference~~ (see Sankuratripati; see step 73; also see column 14, lines 8-40; note that a matching algorithm is only inherent to the process of matching data the generate the preference).

6. The system as recited in claim 5, wherein said at least one a matching algorithm ~~further~~ accepts said preference and said content from said content data store as input to generate said range of concentric content (see Sankuratripati; see step 73; also see column 14, lines 8-40).

7. (Currently amended) The system as recited in claim 1, wherein said range of concentric content ~~comprises at least two differing content offerings~~ further includes a brand content offering.

wherein said buy content offering comprises a first product that is directly related to a

request of said participating user, wherein said product content offering comprises a second product that is correlated to said profile information, and wherein said brand content offering comprises a third product that is correlated to said profile information and said content usage information (see Judge; abstract; par. 0066-0068).

8. The system as recited in claim 7, wherein said ~~differing~~ buy content offering, said product content offering and said brand content offerings differ from each other on a graduated basis (see Sankuratripati; column 14, lines 18-64; see also Judge; par. 0066-0067).

9. The system as recited in claim 8, wherein said varying degrees are based on said content usage information (see Sankuratripati; column 14, lines 18-64).

11. The system as recited in claim 1, wherein said one or more data store and content data store operate in a computing environment (see Sankuratripati; fig. 3, item 53).

12. The system as recited in claim 1, wherein said at least one instruction set comprises a computing application (see Sankuratripati; column 16, lines 1-13).

13. The system as recited in claim 12, wherein said range of concentric user-targeted content is delivered to said participating user over a communications network (see Sankuratripati; fig. 3, items 47, 49, 63, and 65).

14. The system as recited in claim 13, wherein said communications network comprises any of a wireless LAN, a fixed wire LAN, a wireless WAN, a fixed wire WAN, a wireless intranet, a fixed wire intranet, a wireless extranet, a

fixed wire extranet, a wireless peer-to-peer communications network, a fixed wire peer-to-peer communications network, and the Internet (see Sankuratripati; fig. 3, items 47, 49, 63, and 65).

15. The system as recited in claim 13, wherein said range of concentric user-targeted content is in electronic display panes (see Sankuratripati; fig. 3, items 63, and 65).

16. The system as recited in claim 15, wherein said electronic display panes are part of a content browser computing application (see Sankuratripati; fig. 3, item 65).

17. A computer implemented method to generate concentric user-targeted content for a participating user (see Sankuratripati; fig. 3), comprising the steps of:

receiving user data from a data store the user data comprising a participating user's profile information ~~and/or data indicative of said participating user's~~ content usage information (see Sankuratripati; fig. 3, item 53; column 10, lines 15-21);

receiving content from a content data store (see Sankuratripati; fig. 3, item 57; column 10, lines 25-31);

generating processing said profile information and said content usage information to generate a preference for said participating user based on said user data (see Judge; par. 0066, 0072, and 0090);

matching said generated preference with said content to generate a range of concentric user-targeted content that is matched to said generated at least one preference for said participating user with varying degrees of certainty (see

Sankuratripati; column 16, lines 1-12; column 17, lines 32-42, continue next column, lines 1-11; column 13, lines 10-54);

wherein said range of concentric user-targeted content includes a buy content offering and a product content offering (see Judge; par. 0066, 0072, and 0090).

18. The method as recited in claim 17 further comprising the step of:

distributing said range of concentric user-targeted content to said participating user over a cooperating communications network (see Sankuratripati; fig. 3, items 47, 49, 63, and 65).

19. The method as recited in claim 17, wherein said matching step comprises the step of:

applying a matching algorithm to said preference and said content (see Sankuratripati; see step 73; also see column 14, lines 8-40; note that a matching algorithm is only inherent to the process of matching data the generate the preference).

20. The method as recited in claim 17, further comprising the step of:

communicating with a content partner to obtain additional content for use when generating said range of concentric user-targeted content (see Sankuratripati; fig. 3, item 62).

21. A computer readable medium having computer readable instructions to perform the method as recited in claim 17 (see Sankuratripati; fig. 3).

22. A method to generate and deliver concentric user-targeted content (see Sankuratripati; fig. 3) comprising the acts of:

providing a data store having data indicative of a participating user's

profile information ~~and/or data indicative of said participating user's~~ and content usage information (see Sankuratipati; fig. 3, item 53; column 10, lines 15-21);

providing a content data store, said content data store having content from at least one a content service provider (see Sankuratipati; fig. 3, item 57; column 10, lines 25-31); and

providing a computing application, said computing application cooperating with said data store and said content data store wherein said computing application includes an algorithm for comparing said profile information to said content usage information and for generating (see Judge; par. 0066, 0072, and 0090); ~~to generate a preference from said profile information and said content usage information, based on said comparison~~ wherein said computing application processes said preference along with said content to determine a range of concentric user-targeted content, ~~said range of concentric user-targeted content including content levels differing on a graduated basis~~ (see Sankuratipati; fig. 3, items 53 & 57; column 10, lines 15-41; column 15, lines 47-67);

that includes a buy content offering, a product content offering, and a brand content offering, wherein said buy content offering comprises a first product that is directly related to a request of said participating user, wherein said product content offering comprises a second product that is correlated to said profile information, and wherein said brand content offering comprises a third product that is correlated to said profile information and said content usage information (see Judge; par. 0066, 0072, and 0090); and

delivering said generated range of concentric user-targeted content to said participating user over a communications network, said communications network cooperating with said computing application (see Sankuratripati; column 16, lines 1-12; column 17, lines 32-42, continue next column, lines 1-11; column 13, lines 10-54).

23. The method as recited in claim 22, wherein said providing said content data store step further comprises cooperating with a content partner to obtain said content (see Sankuratripati; fig. 3, item 62).

24. (New) The method as recited in claim 17, wherein said range of concentric user-targeted content further includes a brand content offering, wherein said buy content offering comprises a first product that is directly related to a request of said participating user, wherein said product content offering comprises a second product that is correlated to said profile information, and wherein said brand content offering comprises a third product that is correlated to said profile information and said content usage information (see Judge; abstract; par. 0066-0068).

Conclusion

5. **THIS ACTION IS MADE NON-FINAL.** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3201.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

January 15, 2008

NATHAN FLYNN
SUPERVISORY PATENT EXAMINER

